

# Notice of Allowability

Application No.

10/798,201

Examiner

Jennifer H. Gay

Applicant(s)

DOWNIE ET AL.

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Examiner's Amendment included herewith.
2. ☒ The allowed claim(s) is/are 34,37-54 and 60-66.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 3/30/07.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Jennifer H. Gay  
Primary Examiner  
Art Unit: 3672

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The following examiner's amendment reflects the changes made in the After Final Amendment filed March 21<sup>st</sup>, 2007. As the amendment did not include a complete listing of the claims but other wise placed the application in condition for allowance, the examiner is hereby amending the case reflect applicants changes in the above mentioned amendment. Authorization for this examiner's amendment was given in a telephone interview with Scott Blackman on March 30<sup>th</sup>, 2007.

The application has been amended as follows:

#### In the Claims

Claims 31-33, 35, 36, and 55-59 have been cancelled.

Claim 34, line 1, "claim 32" has been changed to --claim 61--.

Claim 37, line 1, "claim 36" has been changed to --claim 62--.

Claim 39, line 1, "claim 35" has been changed to --claim 62--.

Claim 40, line 1, "claim 35" has been changed to --claim 62--.

Claim 41, line 13, "1.0" has been changed to --1--.

Claim 48, line 1, "claim 35" has been changed to claim --62--.

Claim 49, line 1, "claim 35" has been changed to claim --62--.

Claim 53, line 1, "claim 35" has been changed to claim --62--.

Claim 54, line 1, "claim 35" has been changed to claim --62--.

Claim 60, line 1, "claim 59" has been changed to claim --63--.

The following new claims have been added:

61. (New) A downhole tool assembly, the assembly including a downhole tool, the tool comprising: a first body and a second body, the bodies being mounted for relative rotation; a joint part forming a selectively releasable joint between the second body and a part of the assembly coupled to the second body; and locking means for locking the first and second bodies relative to one another against relative rotation; whereby locking the bodies relative to one another facilitates application of a release force through the first body to the releasable joint to release the releasable joint to thereby separate the tool from the part of the assembly, wherein the selectively releasable joint is configured to release at a release force which is less than the force applied to make up the joint.

62. (New) A downhole drilling assembly comprising: a drill bit; a downhole drilling motor having a motor body for coupling to tubing of the assembly and a rotatable drive shaft for coupling to the drill bit; a selectively releasable joint located between the drilling motor and the drill bit; and locking means for locking the drive shaft relative to the motor body; whereby locking the drive shaft relative to the motor body facilitates application of a release force through the assembly tubing and the motor body to the releasable joint to release the releasable joint to thereby separate the drill bit from a remainder of the drilling assembly, wherein the selectively releasable joint is configured to release at a release force which is less than the force applied to make up the joint for drilling operations.

63. (New) A method of selectively releasing a drill bit of a downhole drilling assembly from a remainder of the assembly, the method comprising the steps of: providing the

drilling assembly with a selectively releasable joint between a drilling motor of the assembly and the drill bit, and a locking means for locking a rotatable drill bit drive shaft of the drilling motor relative to a body of the motor; activating the locking means to lock the drive shaft against rotation with respect to the motor body; applying a rotational release force through tubing of the assembly and the motor body to release the releasable joint and separate the drilling motor from the drill bit; and recovering the remainder of the drilling assembly to surface, wherein the step of applying a rotational release force further comprises applying a release torque to generate the release force, and wherein the release torque is less than the torque required to make up the drilling assembly.

64. (New) The method as claimed in claim 63, further comprising providing the selectively releasable joint between the drive shaft and the drill bit.

65. (New) The method as claimed in claim 63, wherein the step of activating the locking means further comprises passing locking members down through the assembly tubing and into a part of the motor, to cause the drive shaft to lock relative to the motor body.

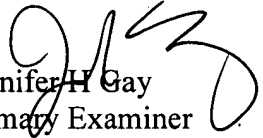
66. (New) The method as claimed in claim 65, wherein the locking members are inserted into the assembly tubing at surface and transported through the tubing to the motor.

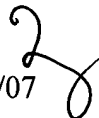
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer H. Gay whose telephone number is (571) 272-7029. The examiner can normally be reached on Mon., Tues., Thurs., and Fri. from 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on (571) 272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3672

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Jennifer H. Gay  
Primary Examiner  
Art Unit 3672

JHG   
3/30/07